

Date **April 28, 2006 FTR/HONDO @ 9:09 am** Judge **Robert H. Scott** Clerk **M. Archuleta**

USA vs. **JOHN PATRICIO NIETO** Crim. No. **05-CR-1849 JH**

Def't. present with/without counsel **CHARLES ASPINWALL**

Name

Apptd/Retd

U.S. represented by **JAMES BRAUN**, AUSA

Def't. not present _____ Marshal called for Def't. in hallway: Yes/No

Bench warrant issued _____ Bond forfeited _____

Interpreter present: Yes/No

Name of Interpreter **none**

Interpreter Used: Yes/No

Interpreter Sworn: Yes/No/Waived

COURT ASKED THE DEFENDANT:

____ Name _____ SS# **8764**

____ DOB **1953** Tel. No.

____ Residence Address **Albuquerque, NM**

____ Extent of education/schooling **GED**

NO Whether he/she is currently or has been recently under the care of a physician or psychiatrist; if he/she has been hospitalized or treated for narcotic addiction

YES Whether he/she has received a copy of the **SUPERSEDING** Indictment

YES Whether he/she has had time to consult with attorney regarding penalties

NO Whether he/she wants Indictment/Information read in open court

YES Whether he/she will waive reading of Indictment/Information

YES Whether he/she is ready to plead

XX Defendant entered plea of not guilty to all counts

____ Defendant entered plea of not guilty to count Nos.

X Matter referred to USDC

X Counsel ordered to file any motions by **MAY 18, 2006**

X Case assigned to: **JUDGE:** **HERRERA**

X Trial set on trailing docket **to be notified**

____ Defendant requested psychiatric examination. Instructed to file motion in USDC

X Bond set/continued at **CONTINUED O/R WITH CONDITIONS**

____ Previous bond motion denied; advised to file bond appeal in USDC

____ Unseal Case

____ Penalty for failure to appear explained

X Discovery Order electronically filed

____ First Appearance of Defendant

OTHER: